

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

JONNIE JOSEPH MILLS,

*Plaintiff*

v.

BANK OZK,

*Defendants.*

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CASE NO. 6:24-cv-133-JDK-KNM

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Before the Court is a Motion filed by Defendant Bank OZK's Motion to Dismiss under Rule 12(b)(6). Docket No. 5. This case was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for disposition.

On October 9, 2024, Judge Mitchell issued a Report and Recommendation recommending that Defendant Bank OZK's Motion to Dismiss (Docket No. 5) be granted. Docket No. 11. No written objections have been received.


This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc),

*superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, no objections were filed. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and Recommendations, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendations of the United States Magistrate Judge (Docket No. 11) as the findings of this Court, **GRANTS** Defendant Bank OZK's Motion to Dismiss (Docket No. 5), and **DIMISSES** Plaintiff Jonnie Joseph Mills' claims with prejudice.

So **ORDERED** and **SIGNED** this **19th** day of **November, 2024**.

  
JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE